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C O N F I D E N T I A L SECTION 01 OF 02 STATE 074378

SIPDIS

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TAGS: FUN CU PGOV PREL

SUBJECT: CLARIFYING OUR POLICY ON CUBA- PRAISING THE EU,S  
NEW HUMAN RIGHT BENCHMARKS

REF: SECSTATE 71974

Classified By: Nerissa Cook, EUR/FO, Reasons: 1.4(b) and (d).

¶1. (U) This is an action request. Please see paragraph 5.

¶2. (C) Summary. In the European Union,s June 23 Common Position on Cuba, the EU replaced its suspended 2005 &restrictive measures,<sup>8</sup> an unused tool that did not achieve their purpose, with a set of benchmarks for dialogue that are forward-looking, explicit, and supportive of the U.S. approach on Cuba. This was in great part the product of direct and constant outreach to EU partners at all levels. Action posts should emphasize to EU member state MFAs the USG view that the EU,s new policy puts human rights at the center of its dialogue, acknowledges Cuba,s democratic opposition, and renews its commitment to promote "real progress towards pluralist democracy" in Cuba. Underscore the importance that the U.S. and EU maintain common objectives in Cuba: democracy, universal human rights, and the unconditional release of all political prisoners. End Summary.

¶3. (U) On June 10, the U.S.-EU Summit Declaration reaffirmed a Trans-Atlantic commitment to democracy and respect for human rights in Cuba: "We encourage democratic processes in the countries of the region consistent with the Inter-American Democratic Charter. We welcome Cuba,s signing of the International Covenant on Civil and Political Rights and urge the government to ratify the covenant and to demonstrate its commitment by unconditionally releasing all political prisoners."

¶4. (U) On June 23, the EU Council set aside "political sanctions" (restrictive measures) and offered to establish a political dialogue with the Cuban government linked to important human rights benchmarks: "The Council called upon the Cuban government to improve effectively the human rights situation by, inter alia, releasing unconditionally all political prisoners, including those who were detained and sentenced in 2003. This remains a key priority for the EU. It also calls upon the Cuban government to facilitate access of international humanitarian organizations to Cuban prisons. The Council further called upon the Cuban authorities to ratify and implement the recently signed International Covenant on Civil and Political Rights and International Covenant on Economic, Social, and Cultural Rights and urged again the Cuban government to make real the commitment to human rights it has demonstrated through the signing of these two human rights covenants." At an annual review June 2009, the EU will continue its dialogue with the GOC only if the EU Council decides it has been effective, taking into account in particular the human rights benchmarks. The EU Council also reaffirmed its policy of contacts with Cuba,s democratic opposition.

¶5. (U) ACTION REQUESTED: Posts are encouraged to seek opportunities to discuss the EU,s policy statements with

Host Governments, with human rights activists, and others as appropriate to emphasize the continued shared transatlantic vision for Cuba, based on human rights. As is emphasized in the EU's policy, also encourage continued support for civil society posts may be creative in suggesting ways in which host countries engage and/or focus on expanding ongoing engagement.

Talking Points:

-- The U.S. and the European Union share common objectives in Cuba: universal human rights and real progress towards pluralist democracy, unconditional freedom of all political prisoners. These objectives reflect our shared values, and we look forward to cooperating closely with the EU.

-- We were pleased that the June 10, 2008 U.S.-EU Summit Declaration reaffirmed this Trans-Atlantic commitment by urging the Cuban government to ratify the International Covenant on Civil and Political Rights and demonstrate its commitment by unconditionally releasing all political prisoners.

-- We believe that the human rights benchmarks laid out in the EU's offer of political dialogue with the Cuba send an important message as to what is important: the need for the Government of Cuba to change the way it treats its citizens. If the Cuban government intends to undertake meaningful

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change, it will use this dialogue to take concrete steps to improve its human rights record, beginning with unconditionally releasing all political prisoners and ratifying and implementing the International Covenant on Civil and Political Rights.

-- We judge that our shared goal for the unconditional release of all political prisoners is important because it is a step that could help to create the conditions for a broad dialogue among Cubans on the island about the future of their country.

-- As stressed in the EU's June 23 Common Position, we encourage you to reach out broadly and at all levels to Cuban civil society. We also hope that the EU will consider creative ways you can reach out to a wide-range of Cubans on the island and share your own democratic experience. We believe that the EU can help Cuba's civil society play a constructive role in a process of change.

-- We have taken note that the GOC has not issued an official response to the EU's offer of dialogue yet. We hope that the GOC accepts the offer promptly and works diligently to meaningfully address the political and economic issues at hand. If they do not address the benchmarks by the annual review, we hope the EU will, as a consequence, cease the dialogue. If the GOC rejects the prospect of dialogue altogether, we hope the EU will consider more quickly amending the Common Position in support of the legitimate efforts of Cuban civil society to lead the country to peaceful, democratic transition in Cuba.

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